

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT OF
HOMELAND SECURITY AND
EMERGENCY MANAGEMENT BILL)

A BILL FOR

1 An Act relating to criminal acts committed on or against
2 critical infrastructure property and providing penalties.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 716.11 Critical infrastructure
2 sabotage — definitions.

3 Solely for purposes of this section and section 716.12,
4 unless the context otherwise requires:

5 1. *"Critical infrastructure"* means any of the following:

6 a. Electrical critical infrastructure, including any plant,
7 maintenance facility, parts warehouse, yard, substation,
8 transmission or delivery line, tower or pole with transmission
9 or delivery lines affixed, transformer, or any implement that
10 is used to generate, store, control, monitor, transmit or
11 deliver electrical service. Electrical critical infrastructure
12 also includes any supervisory control and data acquisition
13 system, or other electronic or computer instrument, that
14 may control or monitor any component of electrical critical
15 infrastructure.

16 b. Gas, oil, refined petroleum products, or
17 chemical critical infrastructure, including any gas or
18 chemical-producing well, compressor station, processing plant,
19 storage and distribution facility, storage tank, chemical truck
20 or rail car, loading and unloading area, chemical container
21 storage, substation, pump station, metering station, valve,
22 regulator or meter, or transmission or distribution main,
23 line, or pipeline, that is used to generate, store, control,
24 monitor, transmit or deliver gas, chemicals, oil, petroleum,
25 refined product, fertilizer, or renewable fuel. Gas, oil,
26 refined petroleum products, or chemical critical infrastructure
27 also includes any physical, electronic, or computer implement
28 that may control or monitor any component of gas, oil, refined
29 petroleum products, and chemical critical infrastructure.

30 c. Telecommunications or broadband critical infrastructure,
31 including any structure, pedestal, x-box, cross-box, manhole,
32 handhold, splice point, antenna, cable, server, router, modem,
33 coupler, or any other property, that is used for the purpose
34 of reception or transmission of telecommunications or radio or
35 broadband signals. Telecommunications or broadband critical

1 infrastructure also includes any other physical, electronic, or
2 computer implement that may control or monitor any component of
3 telecommunications or broadband critical infrastructure.

4 *d.* Wastewater critical infrastructure, including any
5 lateral service line, collection line, manhole, trunk line,
6 storage tank, chemical storage, methane storage, laboratory,
7 pump station, or treatment plant. Wastewater critical
8 infrastructure also includes any physical, electronic, or
9 computer implement that may control or monitor any component of
10 wastewater critical infrastructure.

11 *e.* Water supply critical infrastructure, including any
12 public or private water supply system and all component
13 facilities thereof, body of water or aquifer used as a source
14 of water supply, water supply intake facilities, water supply
15 treatment facilities, treated water storage facilities, or
16 water supply distribution facilities. Water supply critical
17 infrastructure also includes any raw water intakes, wells,
18 pump stations, holding tanks, water towers, aquifer storage
19 and recovery systems, water mains, control valves, hydrants,
20 curb boxes, meter vaults, meters, distribution service lines,
21 treatment, filtration, or chlorination implements, or any
22 physical, electronic, or computer implement that may control or
23 monitor any component of a water supply system.

24 2. "*Critical infrastructure property*" means property and
25 public utility property, both as defined in section 716.7, that
26 is considered critical infrastructure.

27 3. "*Critical infrastructure sabotage*" means any unauthorized
28 act that is intended to or does in fact cause a substantial
29 interruption or impairment of service rendered to the public
30 relating to critical infrastructure property.

31 Sec. 2. NEW SECTION. 716.12 Critical infrastructure
32 sabotage — penalties.

33 A person committing critical infrastructure sabotage commits
34 a class "B" felony, and in addition to the provisions of
35 section 902.9, subsection 1, paragraph "b", shall be punished by

1 a fine of one hundred thousand dollars.

2 EXPLANATION

3 The inclusion of this explanation does not constitute agreement with
4 the explanation's substance by the members of the general assembly.

5 This bill creates the crime of critical infrastructure
6 sabotage.

7 The bill defines critical infrastructure property as
8 property and public utility property, both as defined in Code
9 section 716.7, that is considered critical infrastructure. The
10 bill defines critical infrastructure to include electrical
11 critical infrastructure, gas, oil, refined petroleum products,
12 or chemical critical infrastructure, telecommunications
13 or broadband critical infrastructure, wastewater critical
14 infrastructure, and water supply critical infrastructure. The
15 bill additionally defines critical infrastructure sabotage
16 to mean any unauthorized act that is intended to or does in
17 fact cause a substantial interruption or impairment of service
18 rendered to the public relating to critical infrastructure
19 property. The bill provides that a person who commits critical
20 infrastructure sabotage commits a class "B" felony, punishable
21 by confinement for no more than 25 years. The bill also
22 subjects a person who commits critical infrastructure sabotage
23 to a fine of \$100,000.